

PATENT

Applicant: J. DIRK VERMEULEN ET AL.

For: SKIN CONDITION INDICATOR AND METHOD FOR DETECTING SKIN CONDITION

Serial No.: 10/709,183

Examiner: Zoe E. Baxter

Filed: April 20, 2004

Group Art Unit: 3735

Atty. Docket: 71528-0003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.131 OF JOHN D. VERMEULEN

John D. VerMeulen hereby declares that:

1. I am a citizen of the United States and a resident of Grand Rapids, Kent County, Michigan. I am one of the inventors named in the above-identified U.S. patent application.
2. Prior to November 2, 2002, my fellow inventors and I had conceived the concept of an indicator for characterizing human skin condition, where the indicator comprises a flowable carrier, suitable for application to human skin, and at least one dye soluble with oil found on human skin and visually changeable when in solution with oil on human skin. In our concept, any visual change in the at least one dye is proportional to the amount of the oil present in solution. When the indicator is applied to an area of human skin, and the at least one dye contacts and reacts with the oil in the area, the indicator will display a visual indication of the skin condition in the area based on the amount of the oil in the area.
3. Prior to November 2, 2002, I worked with my business partner and fellow inventor, J. Dirk VerMeulen to develop the concept of a visual indicator for determining skin condition related to the level of oil on the skin. We met with several people in an attempt to identify technical expertise needed to assess the feasibility of the skin condition indicator concept. The meetings led us to William ("Bill") Dommer, a fellow inventor, who began working with us to further develop the skin condition indicator comprising the carrier the oil-soluble dye prior to November 2, 2002.

4. During the months of September and/or October 2002, we began experimentation and produced working prototypes of the skin condition indicator comprising the carrier and the oil-soluble dye.

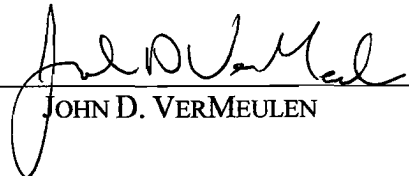
5. I worked with my fellow inventors and our patent counsel to prepare and file the provisional patent application 60/320,126, which was filed on April 21, 2003, and the present non-provisional patent application, which claims priority from the provisional patent application.

6 I have read the concurrently submitted declaration of J. Dirk VerMeulen and corresponding exhibits. To my knowledge, the information in the declaration and shown in the corresponding exhibits is factual and true.

7. The above statements and the documents from the declaration of J. Dirk VerMeulen show a reduction to practice of the invention disclosed in the provisional patent application 60/320,126 and the present non-provisional patent application, which claims priority from the provisional patent application, prior to November 2, 2002 or at least a conception prior to November 2, 2002, with due diligence to a reduction to practice subsequent to November 2, 2002.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 2/12/2007

By 
JOHN D. VERMEULEN

G0279550.DOC